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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/509,528	09/24/2004	Panu Korhonen	890A.002.U1(US)	2810
29683	7590	07/31/2006	EXAMINER	
HARRINGTON & SMITH, LLP 4 RESEARCH DRIVE SHELTON, CT 06484-6212			PEREZ, ANGELICA	
			ART UNIT	PAPER NUMBER
			2618	

DATE MAILED: 07/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/509,528	Applicant(s) KORHONEN ET AL.	
	Examiner Perez M. Angelica	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9/14/04</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2 and 6-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosenberg (Rosenberg et al; US Pub. No.: 2001/0020937 A1) in view of Schaupp (Schaupp et al.; 2,358,336).

Regarding claim 1, Rosenberg teaches of a user interface for providing operational input to a telecommunication device without using keys or corresponding manual input means, comprising (paragraph 14; where the examiner selected "without using keys" from the options provided): an electromechanical actuator including an electrical drive means provided with supply means for electrical power and a movable means arranged in relation to the drive means in such a way that the movable means performs a mechanical movement when electrical power is supplied to the drive means (paragraphs 14 and 16-17), and a sensing unit, for sensing the induced electrical signal (paragraph 16), characterized in that the user interface further comprises: a control means, for controlling a desired operation of portable telecommunication device by means of the signal induced in the drive means (paragraphs 16-17, where the processor provides the control means).

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Rosenberg does not specifically teach of a portable user interface and where an electric signal is induced in the drive means when the portable telecommunication device is moved in a way that causes the movable means to move.

In related art concerning the method of selecting alphanumeric characters or menu options by movement of a display device, Schaupp teaches of a portable user interface and where an electric signal is induced in the drive means when the portable telecommunication device is moved in a way that causes the movable means to move (figure 3, item 100; page 4, lines 1-4).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Rosenberg's user interface with Schaupp's portable interface in order to "facilitate entry of user data and commands by detecting motion", as taught by Schaupp.

Regarding claim 2, Rosenberg in view of Schaupp teaches all the limitations of claim 1. Rosenberg further teaches where the control means, includes means for providing a control signal used for switching a function on/of (paragraphs 159 and 203; where on or off switch is controlled by a control signal).

Regarding claim 6, Rosenberg in view of Schaupp teaches all the limitations of claim 1. Rosenberg further teaches where the control means includes means for providing an identification signal for informing the user that the portable telecommunication device is switched to a induced electrical signal operation mode (paragraph 14).

Regarding claim 7, Rosenberg in view of Schaupp teaches all the limitations of claim 1. Rosenberg further teaches the sensing unit, includes means for providing an identification signal identifying the direction of movement of the movable means (paragraph 81).

Regarding claim 8, Rosenberg in view of Schaupp teaches all the limitations of claim 1. Rosenberg further teaches where the electromechanical actuator is a rotating electric motor, provided with rotating eccentric means (paragraph 152).

Regarding claim 9, Rosenberg in view of Schaupp teaches all the limitations of claim 1. Rosenberg further teaches where the electromechanical actuator is a linear electric actuator provided with coil means and a moving magnetic core (abstract and paragraphs 81, 155 and 162).

Regarding claim 10, Rosenberg in view of Schaupp teaches all the limitations of claim 1. Rosenberg further teaches where the sensing unit comprises an amplifier (paragraphs 118 and 119) and a threshold unit whereby a control signal is generated in the control unit when the voltage exceeds a predefined threshold voltage (paragraphs 10 and 17).

3. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosenberg (Rosenberg et al; US P7ub.No.: 2001/0020937 A1) in view of Schaupp and further in view of Lands, (Lands et al.; US Patent No.: 6,411,828 B1).

Regarding claim 3, Rosenberg in view of Schaupp teaches all the limitations of claim 1.

Rosenberg in view of Schaupp does not specifically teach where the control means, includes means for providing a control signal used for switching the telecommunication device to a specific mode.

In related art concerning a communication devices and methods that operate according o communications device orientation, Lands teaches where the control means, includes means for providing a control signal used for switching the telecommunication device to a specific mode (column 4, lines 17-37 and figure 5b, items 513, 560 and 511).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Rosenberg in view of Schaupp's user interface with Lands's selection of modes in order to provide improved speakerphone operations according to the selected mode of operation, as taught by Lands.

Regarding claim 4, Rosenberg in view of Schaupp teaches all the limitations of claim 1.

Rosenberg in view of Schaupp does not specifically teach where the control means includes means for stopping the movable means in such a position that makes it possible for it to move when the portable telecommunication device is moved.

In related art concerning a communication devices and methods that operate according o communications device orientation, Lands teaches where the control means includes means for stopping the movable means in such a position that makes it possible for it to move when the portable telecommunication device is moved (column 4, lines 53-62).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Rosenberg in view of Schaupp's user interface with Lands's control means in order to operate the device as desired.

Regarding claim 5, Rosenberg in view of Schaupp teaches all the limitations of claim 1.

Rosenberg in view of Schaupp does not specifically teach where the control means includes means for stopping the movement of the movable means before the portable telecommunication device is switched to an induced electrical signal operation mode.

In related art concerning a communication devices and methods that operate according to communications device orientation, Lands teaches where the control means includes means for stopping the movement of the movable means before the portable telecommunication device is switched to an induced electrical signal operation mode (paragraphs 14, e.g., "speaker phone mode").

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Rosenberg in view of Schaupp's user interface with Lands's change of mode in order to provide versatility to the device.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angelica Perez whose telephone number is 571-272-7885. The examiner can normally be reached on 6:00 a.m. - 2:00 p.m., Monday - Friday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on (571) 272-7882. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and for After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either the PAIR or Public PAIR. Status information for unpublished applications is available through the Private PAIR only. For more information about the pair system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Information regarding Patent Application Information Retrieval (PAIR) system can be found at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2600's customer service number is 703-306-0377.



Angelica Perez
Examiner



7/24/06
QUOCHIEN B. VUONG
PRIMARY EXAMINER

Art Unit 2618

July 21, 2006